

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 20-11979-GAO

JAYLIMAR NATAL-LUGO, individually and as Special Personal Representative of the ESTATE OF LARRY RUIZ BARRETO, and as Conservator of and on behalf of her and the decedent's minor child, Plaintiff L.A.R-L; DEMIX RUIZ, individually, and as co-Special Personal Representative of the ESTATE OF LARRY RUIZ BARRETO; LESLIE LUGO; JONATHAN RUIZ-HERNANDEZ; MIGUEL SANCHEZ; and JOSE RUIZ-HERNANDEZ, Plaintiffs,

v.

CITY OF FALL RIVER; IAN SCHACHNE, in his capacity as Treasurer of the City of Fall River; JASIEL CORREIA, in his individual capacity and official capacity as Mayor of Fall River 2015-2019; FALL RIVER POLICE DEPARTMENT; Police Officers NICHOLAS HOAR, DANIEL RACINE, ALBERT DUPERE, ALLAN CORREIRO, MICHAEL PESSOA, DEREK OAGLES, MICHAEL SILVIA, ROSS AUBIN, TYLER PAQUETTE, SEAN AGUIAR, BRENDEN MCNEMEY, PETER DALUZ, JENNIFER DELEON, THOMAS ROBERTS, JOHNATHAN DESCHENES, DAVID MCELROY, SERGEANT GREGORY BELL; and JOHN DOES 1-25, in their individual capacities and official capacities, Defendants.

ORDER  
July 25, 2023

O'TOOLE, D.J.

Fall River Police Officer Nicholas Hoar moves to stay discovery directed to him until the resolution of his trial in a separate federal criminal case, presently scheduled for January 29, 2024. The two cases involve unrelated incidents, but they raise similar allegations against Officer Hoar. The government has indicated that it may seek to introduce character evidence at the criminal trial.

“[A] district court's discretionary power to stay civil proceedings in deference to parallel criminal proceedings should be invoked when the interests of justice counsel in favor of such a course.” Microfinancial, Inc. v. Premier Holidays Int'l, Inc., 385 F.3d 72, 78 (1st Cir. 2004).

Staying discovery as to Officer Hoar in this case will not otherwise affect the plaintiffs’ “interests . . . in proceeding expeditiously.” See id. Discovery in this case will likely extend beyond February 2024, at which time the plaintiffs may obtain discovery from Officer Hoar.

For those reasons, Officer Hoar’s Motion to Stay Civil Discovery (dkt. no. 105) is GRANTED.

It is SO ORDERED.

/s/ George A. O’Toole, Jr.  
United States District Judge